[Restaurant name] Employee Handbook

How to use this template: replace every [bracketed] item, delete policies that do not apply, and add the policies your state and city require. This is sample wording, not legal advice. Have an employment attorney or HR professional in your state review the final handbook before you give it to employees.

Welcome

Welcome to [Company name]. This handbook explains how we work, what you can expect from us, and what we expect from you. Please read it, keep it, and ask [HR contact or owner] if anything is unclear.

About this handbook

This handbook is a summary of our policies. It is not a contract of employment and does not promise employment for any length of time. We may change, add or remove policies at any time, and we will tell you about changes in writing. If a federal, state or local law gives you more rights than a policy in this handbook, we follow the law.

At-will employment: Your employment with [Company name] is at will. You or the company may end it at any time, with or without cause or notice, as long as the reason is not unlawful. Only [owner or title] can change this, and only in a signed written agreement. [Montana employers: replace this paragraph; Montana law requires good cause to discharge after the probationary period.]

Equal employment opportunity

[Company name] makes employment decisions based on merit and business needs. We do not discriminate on the basis of race, color, religion, sex (including pregnancy, sexual orientation and gender identity), national origin, age (40 and over), disability, genetic information, military or veteran status, or any other status protected by federal, state or local law. [Add the protected categories under your state and city law.]

Harassment, discrimination and retaliation

We do not tolerate harassment, including sexual harassment, by anyone: managers, coworkers, customers or vendors. Harassment includes unwelcome conduct based on a protected characteristic, such as slurs, jokes, unwanted touching, threats, or displaying offensive images.

How to report: Tell your manager, [HR contact], or [owner or second contact]. You do not have to report to your direct manager, and you can report in person, by phone at [number] or by email at [email]. We will investigate promptly and as confidentially as we can, and we will take corrective action where needed.

No retaliation: We will not retaliate against anyone who reports a concern in good faith or takes part in an investigation. Report any retaliation the same way.

Work hours, schedules and timekeeping

Our workweek runs from [Sunday 12:00 a.m. to Saturday 11:59 p.m.]. Schedules are posted [day and how far ahead] in [the scheduling app / on the board]. Non-exempt employees must clock in at the start of each shift, out and in for unpaid meal periods, and out at the end of the shift, using [the time clock app or kiosk].

Never work off the clock. Do not answer work calls, texts or emails, or do any work, without recording the time. If you miss a punch or your time record is wrong, tell your manager within [24 hours] so it can be corrected. No one may change your time record without telling you.

Overtime

Non-exempt employees are paid 1.5 times their regular rate for all hours worked over 40 in a workweek, and any additional overtime required by state law. [California, for example, also requires daily overtime.] Overtime must be approved in advance by your manager, but all overtime worked is paid.

Meal and rest breaks

Short rest breaks of [10] minutes are paid and count as hours worked. Meal periods of [30] minutes or more are unpaid only if you are fully relieved of duty; if you are asked to work during a meal period, it is paid. [Add your state's meal and rest break rules, and any lactation break policy.]

Pay

Payday is every [other Friday / weekday], for the pay period ending [date or day]. Pay is by [direct deposit or paycheck]. Your pay stub shows hours, rate, gross pay, deductions and net pay, and is available [in the app / with your check]. We only make deductions required by law or that you authorize in writing. If your pay looks wrong, tell [payroll contact] right away and we will correct any error promptly.

You may talk about your pay, benefits and working conditions with coworkers and others. Nothing in this handbook limits that right.

Tips and tip pools

Tips belong to the employees who receive them. Managers, supervisors and owners do not keep any part of employees' tips, including from a tip pool. [If you take a tip credit:] Tipped employees are paid a cash wage of $[amount] an hour and we take a tip credit of $[amount] an hour, as allowed by [federal / state] law. If your cash wage plus tips does not reach the full minimum wage in a workweek, we pay the difference. [Describe your tip pool: who is in it, how it is shared, and how often.]

Report all tips on [the POS / tip report] at the end of each shift. Credit card tips are paid [on the next payday / daily].

Food safety

- Wash hands before starting work, after breaks, after handling raw food and after using the restroom.
- Get a food handler card within [number] days of hire where [state or county] requires one.
- Do not work while you have vomiting, diarrhea, jaundice, a sore throat with fever, or an infected cut; tell the manager on duty.
- Follow temperature logs, labeling and allergy procedures every shift.

Alcohol service

Only employees who meet [state] age rules and have completed [responsible service training] may serve alcohol. Check ID for anyone who appears under [age]. Refuse service to anyone visibly intoxicated.

Schedules, shift swaps and staff meals

Schedules are posted [day] for the following week. You may swap a shift with a qualified coworker through [the app] if a manager approves it. Employees on shift may have [one staff meal at (price or free)].

Uniforms

Wear [uniform details] and non-slip shoes. [Company name] provides [items]. Any uniform cost you pay will never reduce your pay below the minimum wage or reduce overtime pay.

Employees under 18

We follow federal and state child labor laws, including limits on hours and on tasks such as using slicers and fryers, for employees under 18.

Paid time off

Eligible employees earn [number] hours of paid time off per [pay period / hour worked], up to [number] hours per year. PTO can be used for vacation, personal needs or illness. Request planned time off at least [two weeks] ahead through [the app / the time off request form]. Requests are approved based on staffing and the order they were received. Unused PTO [carries over up to (number) hours / see state law] and is [paid / not paid] at separation, as required by state law.

Sick leave

[Company name] provides paid sick leave as required by [state or city law], or [number] hours per year, whichever is greater. You may use it for your own or a family member's illness, care or medical appointments, and for other reasons the law allows. We will not retaliate against you for using sick leave.

Attendance

Come to work on time for every scheduled shift. If you will be late or absent, contact [manager] at least [2 hours] before your shift by [phone / app]. Missing a shift without notice is a no call, no show. Absences protected by law, such as approved FMLA leave or legally protected sick leave, are never counted against you.

Conduct and discipline

We expect honesty, respect and safe work. Examples of unacceptable conduct include theft, violence or threats, harassment, working under the influence of alcohol or drugs, falsifying time records, and repeated attendance problems. We may use coaching, written warnings or other steps, but we are not required to follow any set order, and employment remains at will where at-will employment applies.

Safety

Follow all safety rules and training. Report every injury, near miss or unsafe condition to [manager] right away. We carry workers' compensation insurance. We will not retaliate against anyone who reports an injury or a safety concern.

Phones, technology and social media

Use company systems for work. Do not share customer or confidential business information. Nothing in this policy prevents you from discussing wages, hours or working conditions, or from talking with a government agency.

Leaving the company

We ask for [two weeks'] written notice if you resign. Please return keys, uniforms, equipment and badges by your last day. Your final paycheck will be paid by the deadline in [state] law, including any accrued PTO the law or this policy requires us to pay.

Employee handbook acknowledgment

I have received the [Restaurant name] employee handbook dated [date]. I understand it is my responsibility to read it and to ask questions about anything I do not understand. I understand the handbook is not a contract of employment, that the company may change its policies, and that my employment is at will where state law allows. Nothing in the handbook limits my rights under the National Labor Relations Act or other laws.

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Employee name (print): _____

_____ _____

Employee signature Date

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